

REMARKS

Claim 35 was rejected under Section 102 based on Meyers. However, Meyers does not teach pushing content to a mobile terminal coupled to the network depending on the location of the mobile terminal. There is no geographic information that is collected in Meyers. Meyers collects demographic information, not geographic information. The demographic information is age, income, profession, gender, hobbies. See paragraph 23. There is no pushing information to someone using a mobile terminal based on their location.

Meyer's cited page 1, paragraphs 6-9 have nothing of pertinence and Meyer's cited page 4, paragraph 87 talks about wireless networks and hot spots which are merely locations where wireless networks are active. There is no suggestion that information would be pushed based on the current position of a mobile customer terminal anywhere, much less anywhere particularly within a retail facility.

Therefore, reconsideration of the rejection of claim 35 is respectfully requested. On the same basis, reconsideration of claim 38 would be appropriate. Claim 41 was also rejected based on Meyers. For the same reasons, reconsideration would be appropriate.

Claims 38 and 41 were also rejected over Delph. Like Meyers, Delph does not teach pushing information to the customer terminal coupled to the network, depending on the current location of the terminal within a retail facility. Delph does not even teach a location dependent information transmission. The material cited at column 6, lines 31-67 does not teach pushing information depending on location within a retail facility, much less pushing information based on a position within a retail facility in general.

Concerning claim 41, there is no multiple positions within the retail facility in Delph. He has a kiosk which is not going anywhere and is not going to ever have more than one location, therefore, information cannot be pushed depending on the location of the kiosk. Even if it could, and I suppose one could simply have a bunch of kiosks and give information to different kiosks, no such concept is anywhere contained in Delph, be it at column 6, lines 31-67 or column 7, lines 25-34. With one kiosk, it is not seen how Delph could possibly have a plurality of customer terminals in the retail facility. He only has one kiosk and there is no way to get a plurality out of one. Moreover, there is no multiple locations.

Therefore, reconsideration is requested.

Concerning claim 43, it is suggested that Delph teaches a global positioning device coupled to the processor. This is because it is stated that Delph teaches the identification of the location or shop, citing a non-existent column 12. The fact that Kraft teaches locating shoppers and malls using global devices having GPS does not teach a processor that establishes a local area network at a retail facility between a plurality of customers and pushes information to those terminals depending on current location.

Therefore, reconsideration is requested.

Respectfully submitted,

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